

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DESTINY BARTOSIK,

Plaintiff,

v.

ORDER
05-CV-318S

THE CREDIT BUREAU OF ROCHESTER, INC.
and CREDIT EDUCATION BUREAU, INC.,

Defendants.

1. On May 5, 2005, Plaintiff Destiny Bartosik commenced this action pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. On July 5, 2005, Plaintiff filed a Motion for Attorney Fees and Costs after accepting Defendant Credit Education Bureau's Offer of Judgment.¹

2. On September 29, 2005, this Court referred Plaintiff's motion to the Honorable Leslie G. Foschio, United States Magistrate Judge, to prepare and file a report and recommendation containing findings of fact, conclusions of law and a recommended disposition of the motion pursuant to 28 U.S.C. § 636(b)(1)(B).

3. On March 31, 2006, Judge Foschio filed a Report and Recommendation recommending that Plaintiff's motion be granted and that Defendant Credit Education Bureau, Inc. be ordered to pay attorney fees and costs in the amount of \$5,250.

4. No objections to the Report and Recommendation were received from either party within ten (10) days from the date of its service, in accordance with 28 U.S.C. § 636(b)(1)(C) and Local Rule 72.3(a)(3).

¹Defendant The Credit Bureau of Rochester, Inc., is apparently a subsidiary of Defendant Credit Education Bureau, Inc.

IT HEREBY IS ORDERED, that this Court accepts Judge Foschio's Report and Recommendation (Docket No. 16) in its entirety.

FURTHER, that Plaintiff's Motion for Attorney Fees and Costs (Docket No. 6) is GRANTED.

FURTHER, that the Clerk of the Court is directed to enter judgment in Plaintiff's favor against Defendant Credit Education Bureau, Inc. in the amount of \$5,250.

FURTHER, that the Clerk of the Court is directed to close this case.

SO ORDERED.

Dated: April 28, 2006
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge